

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**RANDALL KLINGBEIL,**

**Plaintiff,**

**v.**

**Case No. 12-C-750**

**MICHAEL J. ASTURE,  
Commissioner of the Social Security  
Administration,**

**Defendant.**

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**DECISION AND ORDER**

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Pursuant to 42 U.S.C. § 405(g), the Plaintiff, Randall Klingbeil (“Klingbeil”), filed an action for judicial review of the final decision of the Commissioner of the Social Security Administration denying his application for Supplemental Security Income (“SSI”) for lack of disability. Klingbeil also filed a petition for leave to proceed *in forma pauperis* in this action.

In order to authorize a litigant to proceed *in forma pauperis*, the Court must make two determinations: 1) whether the litigant is unable to pay the costs of commencing the action; and, 2) whether the action is frivolous, malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. §§ 1915(a)(1) & (e)(2).

Klingbeil’s petition and affidavit to proceed *in forma pauperis* state that he is not employed, is not married, and has no legal dependants. He does not own car or any stocks,

bonds, notes, or other valuable property (excluding clothing and ordinary household items).

He has no cash or accounts with any financial institution.

Klingbeil's total monthly income is \$0.00. His monthly expenses total \$492.00, with expenditures of \$375.00 for rent, \$116.00 for gas and electric and \$0.00 for groceries.

Klingbeil states that he is getting loans from family members and friends to pay his bills.

Based on the information provided, the Court concludes Klingbeil has satisfied the requirements of § 1915. He is unable to pay the costs of commencing this action, and the action states a claim on which relief may be granted and does not appear to be frivolous or malicious.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY  
ORDERED THAT:**

Klingbeil's petition for leave to proceed *in forma pauperis* is **GRANTED**.

Dated at Milwaukee, Wisconsin this 7th day of August, 2012.

**BY THE COURT**

  
Hon. Rudolph T. Randa  
U.S. District Judge